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 Plaintiff Pro se

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CLERK U.S. DISTRICT COURT		
DISTRICT OF ARIZONA		
BY		DEPUTY

5 **U.S. District Court District of Arizona**

6

7 **405 W. Congress Street Suite 1500**

8

9 **Tucson, Arizona 85701**

10 Edwin A. Groover,

Case No.: Number CV-20-107-TUC-LAB

11 Plaintiff,

Complaint

12 Governor Douglas Ducey

13 Pima County

14 Judge C. Holguin

15 H. Manjarres Badge 06172

16 Defendant

17

18 "Personal liberty largely consists of the Right of locomotion -- to go where and when one pleases -- only so far restrained as the Rights of others may make it necessary for the welfare of all other citizens. The Right of the Citizen to travel upon the public highways and to transport his property thereon, by horse drawn carriage, wagon, or automobile, is not a mere privilege which may be permitted or prohibited at will, but the common Right which he has under his right to life.

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1 liberty, and the pursuit of happiness. Under this Constitutional guarantee one may,
2 therefore, under normal conditions, travel at his inclination along the public
3 highways or in public places, and while conducting himself in an orderly and
4 decent manner, neither interfering with nor disturbing another's Rights, he will be
5 protected, not only in his person, but in his safe conduct." [emphasis added]
6
7

8 *American Jurisprudence 1st. Constitutional Law*, Sect.329, p 1135.
9

10 Table of Contents:
11

12 Cited for:
13

14 No proof of insurance
15

16 No registration card
17

18 Denial of Due Process, Infliction of Excessive and therefore Cruel and Unusual
19 Punishment, Infliction of Involuntary Servitude, Assault, Extortion, Racketeering
20 Influenced Corrupt Organizations (RICO), Creating Fictitious Obligations,
21 Conspiracy, Treason, Assault, Battery, Overt Acts
22

23 1. Comes now the Plaintiff above named in his own natural person and
24 complains against Defendants above named for depriving Plaintiff of
25 constitutional rights under color of State Law, custom or usage, conspiracy
26 to so deprive and/or failure, neglect or refusal to protect plaintiff from said
27
28

1 conspiracy although it was within their power to do so.
2

3 **Jurisdiction**

4 2. This Court has jurisdiction under Title 28 USC 1343 (1), (2), (3), and (4) and
5 under Title 42 USC 1983, 1985.
6

7 3. Plaintiff and individuals, named are citizens and residents of the State of
8 Arizona. Defendants are employees of the State of Arizona and Pima County.
9

10 **Venue**

11 Venue is proper pursuant to 28 U.S.C § 1391 because the events giving rise to this
12 complaint occurred in this district.
13

14 **1st Cause of Action**

15 16 4. Title 18 USC section 241 and 242

17 18 5. Plaintiff is a resident of Cochise County, State of Arizona for the past 4 years.
19

20 6. Judge C. Holguin is a Pima County Judge for the State of Arizona
21

22 7. Douglas Ducey is the governor of the State of Arizona and is responsible for the
actions, training, and behavior of State employees.
23

24 8. H. Manjarres is an Arizona State Highwayman.
25

26 9. Pima County is a beneficiary of Defendants Ducey, Holguin and Manjarres
illegal activity.
27

28 10. By law, Arizona Revised Statute 38-321, State of Arizona, Defendants, Ducey,
PLEADING TITLE - 3

1 Holguin, Manjarres, have been required by Oath or affirmation, to support and
2 defend Plaintiff's Constitutional rights when or where they claim to have
3 jurisdiction over or official duties with Plaintiff.
4

5 **Issued citations on November 7, 2018**
6

7 11. On November 7, 2018, Arizona Armed Highwayman H. Manjarres issued a
8 citation 912223018306003 (case number TR18-025696-CV) for;

9

10 1. 28-2158C Fail to carry vehicle registration card
11
12 2. 28-4135C Fail to produce evidence of financial responsibility.
13
14 3. The above citations created fictitious obligations.

15 Plaintiff states, my rights are God given and the Constitution offers a legitimate
16 program to protect those rights, which cannot be usurped by government.

17 Government is the servant of the sovereign "We the People" And as a sovereign I
18 declare God and the Constitution protect my rights to freedom of religion, freedom
19 of thought, the right to liberty. This motor vehicle statute is a violation of God
20 given inalienable rights and Constitutionally protected rights under the first, the
21 fourth, fifth, sixth, ninth and tenth amendments. Neither the legislature nor any
22 other body of government has the authority to pass a law (statute or code) that
23 conflict with the United States Constitution or the Arizona State Constitution. This
24 motor vehicle code was based on lies and fraud and was void at its inception.
25
26

1 Defendant H. Manjarres held Plaintiff against his will for approximately 15
2 minutes. Defendant H. Manjarres acted outside his lawful duties, as he had no
3 lawful cause to stop or cite Plaintiff. "Where an individual is detained, without a
4 warrant and without having committed a crime (traffic infractions are not crimes
5 Chicago Coach Co. v. City of Chicago, 337 Ill. 200, 169 N.E. 22.), the detention is
6 a false arrest and false imprisonment." Damages Awarded: Trezevant v. City of
7 Tampa, 241 F2d. 336 (11th CIR 1984).
8

9
10 "An illegal arrest is an assault and battery".....(*State v. Robinson*, 145 ME. 77,
11 72 ATL. 260).
12

13
14 Article 6 paragraph 2 (the Supremacy Clause) of the US Constitution declares the
15 Constitution and the laws in pursuance thereof made under the authority of the
16 United States shall be the supreme law of the land.
17

18 The judges in every state shall be bound thereby. Any thing in conflict or
19 repugnancy is null and void of Law.
20

21 All infringement is forbidden...I claim encroachment, infringement, impingement,
22 usurpation, I claim Defendants application of this motor vehicle code is violating
23 my rights.
24

25 "The right to travel (called the right of free ingress to other states, and egress from
26 them) is so fundamental that it appears in the Articles of Confederation, which
27 governed our society before the Constitution." (Paul v. Virginia).
28

1 "The Constitution of these United States is the supreme law of the land, any law
2 that is repugnant to the constitution is null and void of law. "Marbury vs. Madison,
3 5 US 137 1803.

5 The motor vehicle code requiring license, registration and compulsory insurances
6 makes government violate the law. "[T]he right to travel freely from State to
7 State ... is a right broadly assertable against private interference as well as
8 governmental action. Like the right of association, *it is a virtually unconditional*
9
10 *personal right, guaranteed by the Constitution to us all.*" U.S. Supreme Court,
11
12 *Shapiro v. Thompson.*

13 Title 18 US code section 2381 which says that in the presence of two witnesses to
14 the same overt act or in an open court of law if they fail in a timely manner to
15 move to protect and defend the Constitution and honor their oath of office they are
16 subject to the charge of capital felony - treason.

19 Everyone involved in the persecution of me under these void statutes has been a
20 trespasser. My constitutional rights have been violated by this unconstitutional
21 void motor vehicle code. When a statute, law or code goes against the Constitution
22 it is null and void of law, it bears no power to enforce, no obligation to obey,
23 purports to settle as if it never existed, unconstitutionality dates from the enactment
24 of such law not from any dates so branded in an open court of law. This motor
25 vehicle code is repugnant to the Arizona Constitution and the Constitution of these
26
27
28 PLEADING TITLE - 6

1 United States.

2 I have a right to travel and exercise my freedom unencumbered as I see fit
3 according to the first Amendment of the Constitution of the United States and
4 according to the Arizona State Constitution.

5 A state may not impose a charge for the enjoyment of a right granted by the
6 Federal and State Constitutions. "No state shall convert a liberty into a privilege,
7 license it, and attach a fee to it" "Murdoch v Penn. 319 US 105 1943. Plaintiff was
8 cited for no proof of financial responsibility and no registration card.

9 Defendant Ducey enforces the activities of his subordinates through state
10 government policies, training, and the benefits they all receive. Plaintiff feels
11 certain the discovery process will reveal additional crimes. The following is a
12 general description of the Arizona traffic revenue scam based on Plaintiff's
13 experiences with the Arizona JP Court system. It conforms to the definition of the
14 RICO act; *"A racket is generally a repeated or continuous organized criminal
15 operation. However, according to the more specific definition, racketeering
16 constitutes extortion or criminal coercion."* Originally and often still specifically, a

17 "racket" referred to a criminal act in which the perpetrator or
18 perpetrators fraudulently offer a service that will not be put into effect, a service to
19 solve a nonexistent problem, or to solve a problem that would not exist without the
20 racket. Conducting a racket is **racketeering**.

1 A. Men and women, herein referred as Victims, through propaganda not based on
2 law, are taught they are required to purchase a “driver’s License”/“chauffeur’s
3 License” to ride in their non-commercial vehicles on the roadways the victims pay
4 for through fuel taxes; failure to purchase the License and insurance will cause the
5 Victim engaged in ordinary travel to be arrested/cited/ or kidnapped by the
6 weaponized highwaymen acting as Peace Officers.

7
8 B. The Victim through harassment and coercion from the weaponized highwaymen
9 acting as Peace Officers, are forced into buying forced insurances and motor
10 vehicle registration. Service and display the receipt via a “License Plate”, failure to
11 display such receipt will cause the victim’s vehicle to be taken through force
12 exercised by the weaponized highwaymen acting as Peace Officers.

13
14 C. The weaponized highwaymen acting as Peace Officers ensure the victim
15 appears before an alleged Traffic Referee who through abuse of process extorts
16 Fines and Court Cost from the Victim. Said fines and court costs are paid by the
17 victim with Federal Reserve Notes that are not backed by gold or silver coin as
18 stipulated in Article 1 Section 10 of the Constitution.

19
20 D. This harassment and coercion is supported and upheld by the State’s Governor,
21 lower courts and is further supported by with a blind eye approval from the State’s
22 higher Courts.

1 E. The basic proceeds are as follows:

2 a. Licensed and Registration proceeds are shared by the State and The
3 Municipalities that host MVD Offices.

4 Proceeds from this "traffic racket" benefits all State Officers, State/Municipal
5 Employees and all State run pension plans.

6
7 b. Fine and Penalty proceeds are shared by the Courts, The Municipalities and The
8 State Treasury. Municipalities use a portion of these funds to hire more revenue
9 making highwaymen and Traffic Referees.

10
11 Defendants have committed a crime that is clearly unconstitutional. The motor
12 vehicle code prohibiting travel without proof of financial responsibility and a
13 registration card is unconstitutional and violates my rights to freedom; my right to
14 travel freely and unencumbered cannot be regulated by a motor vehicle code.

15
16 The Constitution is the supreme law of the land and under the first amendment I
17 can enjoy that right with impunity. It is a God given right secured by the
18 Constitution and that right shall not be invaded, and it is supposed to be enforced
19 in favor of me the clearly intended and expressly designated beneficiary of the
20 Contract (The United States Constitution and Arizona State Constitution).

21
22 "If the state converts a liberty into a privilege the citizen can engage in the right
23
24 PLEADING TITLE - 9

1 with impunity."Shuttlesworth vs. Birmingham, 373 US Report 262
2 I have relied upon the United States Constitution and on prior decisions of the
3 Supreme Court, and the exercise of Plaintiff's right to travel cannot be construed to
4 violate the law therefore I have a defense against willfulness. There was no evil
5 motive or intent.
6

7
8 Defined; willfulness is an evil motive or intent to avoid a known duty or task under
9 the law of moral certainty. U.S. v Bishop, 412 US 346.
10

11 Defendants can't claim ignorance of the law because a citizen can't claim
12 ignorance of the law. Defendants cannot claim that they acted in good faith for
13 willful deprivation of the law and they certainly cannot claim ignorance of the law
14 as they swore an Oath of Office to the Constitutions of the United States and
15 Arizona.
16

17
18 **License and Registration are Titles of Nobility**

19
20 12. Both are Titles of nobility.
21
22 13. Said citations are bills of attainder in violation of Article 1 Section 10 of the
23 Constitution.
24

25
26 **Federal Reserve notes not backed by silver and gold**
27

28 14. Arizona State Highwayman H. Manjarres issued citations that required Plaintiff
29 to pay said fine (debt) with Federal Reserve Notes that are not backed by gold or
30

1 silver coin as stipulated in Article 1 Section 10 of the Constitution.

2 15. All this was done under, Color, Custom and Usage of Commercial Arizona
3
4 Motor Vehicle statutes.

5
6
7 **Denial of Due Process**

8 16. Plaintiff is guaranteed Due process of Law by the Fifth Amendment of our U.S.
9
10 Constitution.

11 17. The Bill of Rights includes, Counsel of choice in the 6th amendment.

12 18. Due Process is guaranteed by both the 5th and the 14th amendments to the
13
14 constitution.

15 19. Plaintiff requested an alternative court date in writing because the citations
16
17 were issued while plaintiff was traveling.

18 20. Plaintiff was denied an alternative court date.

20 21. Judge Holguin has presupposed Plaintiff is guilty of committing some crime or
22
23 violating a state statute. The Arizona Revised Statutes applied to plaintiff cannot
24
25 apply to Plaintiff's right to travel. It would violate plaintiffs right to use a public
26 roadway. *Boyd v. U.S.*, 116 U.S. 616: "The court is to protect against any
27
28 encroachment of constitutionally secured liberties."

27 Defendant Holguin willfully and intentionally used his position as a Pima County
28

1 Judge to find Plaintiff responsible for something that does not apply to Plaintiff.

2 All of this was done for financial gain.

3

4 **Infliction of Excessive and therefore Cruel and Unusual Punishment**

5 22. Under the 8th Amendment, cruel and unusual punishment may not be applied

6 against Plaintiff.

7 23. Defendants have imposed cruel and unusual punishment by the mental stress

8 placed upon Plaintiff. Caused by Defendants extortion for exercising his right to

9 free travel on an interstate highway. "There can be no sanction or penalty imposed

10 upon one because of this exercise of Constitutional rights." - Sherar v. Cullen, 481

11 F. 945.

12 24. Under the 1st amendment to the constitution, Plaintiff's right to travel freely

13 and unencumbered is guaranteed.

14 25. Plaintiff reserves all powers not specifically delegated to the Federal or State

15 Government and he has not waived any of the rights aforementioned, which for the

16 most part are natural rights, but which are also protected by the constitution.

17

18 **Infliction of Peonage and Involuntary Servitude**

19 26. Under the 13th. Amendment to the constitution Plaintiff is protected against

20 peonage and involuntary servitude, where the actions of Defendants appear to

21 destine Plaintiff.

1 27. The 14th amendment of the constitution No state shall make or enforce any
2 law, which shall abridge the privileges or immunities of citizens of the United
3 States; nor shall any state deprive any person of life, liberty, or property, without
4 due process of law; nor deny to any person within its jurisdiction the equal
5 protection of the laws.
6

8 28. Defendants conspired outside their lawful duties, to bring to bear upon
9 Plaintiff unconstitutional acts under color, custom and usage of state laws.
10

11 29. Defendants acted outside the perimeters their lawful duties.
12

13 30. Defendants violated their oaths of office. They did so under color, custom and
14 usage of federal and state Law. Defendants acted grossly, willfully, wantonly,
15 unlawfully, carelessly, recklessly, negligently, maliciously, purposefully,
16 intentionally and discriminately against plaintiff and did so taking advantage of
17 color, custom and usage of state law and a citizen's fear of state personnel
18 prosecuting good citizens for having stood up for their natural rights protected by
19 the U.S. Constitution and the Arizona State Constitution.
20

22 **Conspiracy and Overt Acts** 23

24 31. Defendants conspired together and with others as yet unknown to Plaintiff to
25 deprive him of his rights.
26

27 32. Overt acts committed by Defendants include that complained of in above
28

1 paragraphs of this complaint.

2 33. Denying Plaintiff a right to a hearing, are all in collusion with the State
3 Legislative Branches of the State of Arizona.

4 34. Defendants named above relying on their own discretion and erroneous
5 interpretation of the Supreme Law of the Land, which is the Constitution and not
6 any statute in conflict there with, issued or coursed to be issued an order for
7 Plaintiff to conspire with Defendants to subvert the constitution by accepting Titles
8 of Nobility and to make something other than gold and silver coin a tender for
9 payment of debt.

10 35. All these are contrary Article 1, Sec. 10, of the Constitution.

11 36. Defendants forenamed deprived Plaintiff of his 9th and 10th Amendment rights,
12 which protect him from Oath-breaking so-called "public servants" who wallow in
13 the public trough while trampling upon Plaintiff's Constitutional Rights.

14 37. Said defendants, meanwhile attempt to impose totalitarian socialism upon
15 Plaintiff, although such a system is the antithesis of the Constitution, that public
16 servants and duly constituted authorities are sworn to uphold.

17 38. Defendants have exceeded their jurisdiction.

18 39. Defendants have abused their discretion.

19 40. Defendants have acted outside the lawful perimeters of their official duties.

1 41. Defendants have grossly, willfully, wantonly, unlawfully, carelessly, recklessly,
2 negligently, intentionally, maliciously, purposefully, and discriminatingly
3 conspired to deprive plaintiff of his constitutional rights and they have refused,
4 neglected or failed to protect plaintiff from said conspiracy although they have
5 been a position to do so.
6

8 Defendants have acted with a "depraved indifference" to plaintiff's life and the
9 rights they have sworn to uphold.
10

11 42. Defendants acts as heretofore complained of, and have caused harm and
12 damage to plaintiff.
13

14 43. Said acts have imposed an intolerable and dehumanizing burden that no one
15 should have to endure, insomnia, worry, financial insecurity, stress and strain in
16 relationships, in his work, his family, relatives and friends.
17

18 44. They have subjected him to public ridicule and embarrassment. Plaintiff is a
19 100% disabled veteran and requires a state license to access federal installations
20 such as Ft. Huachuca and the Southern Arizona VA Health Care System in Tucson
21 this intensifies cruel and unusual punishment.
22

23 **Prayer**
24

25 45. The egregious nature of Defendants complained of acts are so far removed
26 from decent social standards that they entitle plaintiff to recover money damages
27

1 from defendants as follows:

2 46. For general damages \$ 5,000,000.00

3 47. For punitive damages \$1,000,000.00

4 48. In addition plaintiff prays such other and further relief as to the jury demanded

5 in this case shall appear just.

6 49. Defendants herein are sued in their individual capacities and not as agents of

7 the State of Arizona or The United States.

8 50. This is a civil rights Suit and not under the torts claims act.

9 51. The United States or the State of Arizona cannot be substituted, as a party

10 Defendants and the consent of the United States or the State of Arizona to be sued

11 are not demanded.

12 52. If necessary; Plaintiff demands for all issues to be decided by the Jury

13 Demanded.

14 53. If defendants move to dismiss this suit, Plaintiff Demands that it be heard by

15 the jury demanded, and only be dismissed if the Jury considers it lacks merit.

16 Respectfully submitted,

17 

18 Edwin Allen; Groover,

19 Date 3-12-2020